



COMMITTEE ON
SCIENCE, SPACE, & TECHNOLOGY
Lamar Smith, Chairman

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Statement of Chairman Lamar Smith (R-Texas)
Examining EPA's Predetermined Efforts to Block the Pebble Mine

Chairman Smith: This morning's hearing will examine a report written by former Secretary of Defense (and former Senator and Congressman) William S. Cohen about the Environmental Protection Agency's efforts to block the Pebble Mine Project from development.

The report, released last month, summarizes the findings of Secretary Cohen's independent review of EPA's decision-making process to mine in southwest Alaska's Bristol Bay watershed.

The Committee has examined the EPA's numerous expensive and expansive regulations. These regulations include the Clean Power Plan, The Waters of the United States rule, and the Ozone National Ambient Air Quality Standard.

EPA's regulations will stifle economic growth, destroy American jobs, and increase energy prices. That means everything will cost more – from electricity to gasoline to food, which disproportionately hurts low income Americans.

Not only are these regulations unnecessary and costly, we also have learned from previous hearings how EPA has used secret science, questionable legal interpretations, and flawed analysis to promulgate these rules. This is not sound science – it is science fiction.

But it doesn't stop there. Today's hearing on the EPA's attempted expansion of the Clean Water Act to prevent the development of the Pebble Mine Project demonstrates how the EPA is truly out of control.

In this case, the EPA attempted to stop the Pebble Mine from moving forward before it even submitted a permit application or finalized a mine plan. Allowing EPA to proceed in this pre-emptive fashion raises many concerns about the due process that should be afforded to those who apply for permits under the Clean Water Act.

Moreover, it appears that the EPA will use this case as precedent to block additional projects throughout the United States. The negative impact this would have on the growth of the American economy is profound.

If we allow the EPA to pursue this path of action the Agency will have the power to tell states, local governments, and even private citizens how they can develop their land before a permit application has ever been filed. This is unprecedented and dangerous.

Given that we have already seen the EPA expand the definition of the Waters of the United States to accomplish its extreme agenda, we should not allow the agency to stop projects before they even apply for a permit. This would be an injustice to the rule of law.

Secretary Cohen's report lays out evidence that shows collusion and a cozy relationship between the EPA and groups actively opposed to the Pebble Mine. Recently, the Committee has uncovered other instances of EPA's inappropriate relationship with outside environmental groups.

In a July hearing with EPA Administrator Gina McCarthy the Committee learned that top EPA officials attended private parties with environmental activists.

During the course of its investigation, the Committee uncovered an event called "Goo-fest" where Michael Goo, a then-policy administrator at the EPA, invited his environmental activist friends to an extravagant party at his lake house where attendees were encouraged to consume shots of alcohol from an ice luge.

These relationships could inappropriately influence EPA's ability to conduct policy based on sound science. The EPA has a responsibility to be open and transparent with the people it serves and whose money it uses.

Unfortunately, it appears that the Pebble Mine Project is another victim of this EPA's extreme agenda. In fact, one of the former EPA employees who this Committee found to have colluded with environmental groups to stop the Pebble Mine project fled the country when Congress attempted to interview him.

Secretary Cohen's independent review of EPA's decision-making process concluded that EPA's actions were not fair to all stakeholders.

This review focused on the process EPA used to assess the environmental risks and to propose restrictions to reduce risks associated with potential mining in the Bristol Bay watershed.

Secretary Cohen and his colleagues carefully reviewed thousands of documents from various and disparate stakeholders, which include the EPA, the State of Alaska, the Pebble Partnership, and other sources.

To maintain his impartiality, Secretary Cohen interviewed individuals with different points of views of the EPA's actions. These include three former EPA administrators and several former senior EPA officials.

No one should be surprised by the findings of Secretary Cohen's report. Just this past spring the EPA received a "D" grade for its lack of openness and transparency, according to the non-partisan Center for Effective Government.

It is my hope that the EPA will finally come clean with the American people about its true involvement with the Pebble Mine Project.

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